

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at Salisbury

IN RE:

Scott A. Mason,
aka Scott Mason
Grace K. Mason,
aka Grace Mason

DEBTOR(S)

Case No.: 18-22014
Chapter 7

The Bank of New York Mellon F/K/A The
Bank of New York as Successor in interest to
JPMorgan Chase Bank, N.A. as Trustee for
Centex Home Equity Loan Trust 2005-A, by
Nationstar Mortgage LLC, d/b/a Mr. Cooper,
Servicing Agent

MOVANT

vs.

Scott A. Mason,
aka Scott Mason
Grace K. Mason,
aka Grace Mason

and

George W. Liebman, Trustee

RESPONDENT(S)

MOTION SEEKING RELIEF FROM AUTOMATIC STAY AS TO THE
PROPERTY KNOWN AS
34206 OLD OCEAN CITY ROAD, PITTSVILLE, MD 21850

The Bank of New York Mellon F/K/A The Bank of New York as Successor in interest to JPMorgan Chase Bank, N.A. as Trustee for Centex Home Equity Loan Trust 2005-A, by Nationstar Mortgage LLC, d/b/a Mr. Cooper, Servicing Agent (hereinafter MOVANT), by its undersigned counsel, files this MOTION SEEKING RELIEF FROM AUTOMATIC STAY AS TO THE PROPERTY KNOWN AS 34206 OLD OCEAN CITY ROAD, PITTSVILLE, MD 21850, pursuant to 11 U.S.C. SECS. 362 which is a core proceeding pursuant to 28 U.S.C. SEC. 157, and for reasons states as follows:

ONE

That the above-named Debtor(s) Scott A. Mason, aka Scott Mason, and Grace K. Mason, aka Grace Mason (hereinafter "DEBTOR(S)") initiated proceedings in this Court seeking relief under Chapter 7 of 11 U.S.C.

COHN, GOLDBERG &
DEUTSCH, LLC

ATTORNEYS AT LAW
600 BALTIMORE AVENUE
SUITE 208
TOWSON, MD 21204

410-296-2550

File #: 416218

TWO

That the above-named George W. Liebman was appointed Interim Trustee of the Estate of the Debtor(s), is duly qualified, and is so acting.

THREE

That MOVANT is the holder and/or servicer of a Note secured by a Deed of Trust, which encumbers the real property known as 34206 Old Ocean City Road, Pittsville, MD 21850 (the "property") (see attached Exhibit "A"), presently owned by the DEBTOR(S), in the approximate principal amount of \$138,649.82, plus interest, late charges and other costs. Said Instrument is recorded among the Land Records of Wicomico County, Maryland.

FOUR

That the DEBTOR(S) is/are in default in payment of the Deed of Trust Note to MOVANT; said default involving non-payment of THREE (3) post-petition payment(s) for the period of October, 2018, through December, 2018, in the amount of \$2,745.06, plus late charges, plus any additional payments and late charges thereon that may fall due after the filing of this motion, plus attorney's fees and costs.

FIVE

That MOVANT believes and avers that its security interest concerning the property is not adequately protected.

SIX

That the DEBTOR(S) has/have little or no equity in the property and the property is not necessary to an effective reorganization.

SEVEN

That MOVANT has been and continues to be irreparably injured by the Stay of S. 362(a) of the Bankruptcy Code which prevents the MOVANT from enforcing its right under its Deed of Trust.

WHEREFORE, MOVANT, prays this Honorable Court grant the following relief:

A. That the Court enter an Order lifting the Stay of S. 362 to enable The Bank of New York Mellon F/K/A The Bank of New York as Successor in interest to JPMorgan Chase Bank, N.A. as Trustee for Centex Home Equity Loan Trust 2005-A, or its successors and assigns, to enforce its rights under its Deed of Trust, which would enable it to foreclose on the property.

B. That the Court grant such other and further relief as may be necessary.

/s/ Richard J. Rogers

Richard J. Rogers, Esquire
Cohn, Goldberg & Deutsch, LLC
600 Baltimore Avenue, Suite 208
Towson, MD 21204
410-296-2550
Fax: 410-296-2558
Email: bankruptcyecf@cgd-law.com
Federal Bar #: 01980 (MD)
Attorney for Movant

COHN, GOLDBERG &
DEUTSCH, LLC

ATTORNEYS AT LAW
600 BALTIMORE AVENUE
SUITE 208
TOWSON, MD 21204

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* * * * * CERTIFICATION OF SERVICE * * * * *

ON

**MOTION SEEKING RELIEF FROM AUTOMATIC STAY AS TO THE
PROPERTY KNOWN AS**

34206 OLD OCEAN CITY ROAD, PITTSVILLE, MD 21850

I, the undersigned counsel of COHN, GOLDBERG & DEUTSCH, LLC, 600 BALTIMORE AVENUE, SUITE 208, TOWSON, MD 21204, certify that I am, and at all times hereinafter mentioned was, 18 years of age and that on December 20, 2018, I served a copy of the MOTION SEEKING RELIEF FROM AUTOMATIC STAY AS TO THE PROPERTY KNOWN AS 34206 OLD OCEAN CITY ROAD, PITTSVILLE, MD 21850, by FIRST CLASS MAIL, on the respondent(s) in this proceeding to:

Scott A. Mason
aka Scott Mason
34206 Old Ocean City Road
Pittsville, MD 21850

Grace K. Mason
aka Grace Mason

COHN, GOLDBERG &
DEUTSCH, LLC

ATTORNEYS AT LAW
600 BALTIMORE AVENUE
SUITE 208
TOWSON, MD 21204

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34206 Old Ocean City Road
Pittsville, MD 21850

and by ELECTRONIC FILING NOTIFICATION CM/ECF to:

respondent(s)' counsel:
Ann Shaw, Esquire
212 W. Main Street, Ste. 303
Salisbury, MD 21803

George W. Liebman, Trustee
8 W. Hamilton Street
Baltimore, MD 21201

I certify under penalty of perjury that the foregoing is true and correct.

Executed on December 20, 2018

/s/ Richard J. Rogers
Richard J. Rogers, Esquire
Cohn, Goldberg & Deutsch, LLC
600 Baltimore Avenue, Suite 208
Towson, MD 21204
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Fax: 410-296-2558
Email: bankruptcyecf@cgd-law.com
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